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Total Pages in Fax **5**

ATTENTION: **PATENTS CENTRAL FAX**

VOICE No.:

COMPANY: **USPTO**

OUR FILE No.: **2270-001**

Your File No.:

DATE: September 29, 2005

NOTES:

in re patent application of: **Michael J. Alberts**

Att. Docket No.: 2270-001

Serial No.: **10/773,250**

Examiner: J.R. Cottingham

Filed: **February 9, 2004**

Art Unit: 2116

For: **MODULAR STACKABLE FENCE APPARATUS**

EXAMINER: John COTTINGHAM

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT

In re patent application of: Michael J. Alberts

Att. Docket No.: 2270-001

Serial No.: 10/773,250

Examiner: John R. Cottingham

Filed: February 9, 2004

Art Unit: 2116

For: MODULAR STACKABLE FENCE APPARATUS

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTERAssistant Commissioner of Patents
Washington, D.C. 20231
SIR:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97 – 1.98.

Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

☐ a. The enclosed information disclosure statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last. (37 CFR 1.97 (b))

☒ b. The enclosed information disclosure statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311. (37 CFR 1.97 (c))

The enclosed information disclosure statement is accompanied by [check one]:

☒ i. A statement in part (e) below as specified in 37 C.F.R. 1.97(e), or☐ ii. A check in the amount of \$240.00 required by 37 C.F.R. 1.17(p).

☐ c. The enclosed information disclosure statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee. (37 CFR 1.97 (d))

PETITION: It is requested that the information being submitted be considered. {NOTE: If box (c) is checked, the following two boxes must be checked.}

☐ **PETITION FEE:** a check for \$130.00 required by 37 CFR 1.17(i)(I), is enclosed,☐ **STATEMENT** is attended to in box (e) below.

☐ d. The enclosed information disclosure statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

☐ e. **Statement** [Check one] [Statement is required only if box (b)(1) or box (c) is checked.]

☐ I hereby state that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

or

☒ I hereby state that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.5(c) more than three months prior to the filing of this Information Disclosure Statement.

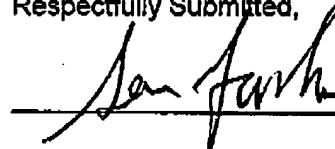
or

☐ Appropriate statement is attached.

Date:

Sept 29/05

Respectfully Submitted,



By: Sean W. Goodwin
Registration No. 39,568

SEP 29 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re patent application of: Michael J. Alberts

Att. Docket No.: 2270-001

Serial No.: 10/773,250

Examiner: John R. Cottingham

Filed: February 9, 2004

Art Unit: 2116

For: **MODULAR STACKABLE FENCE APPARATUS**

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Honorable Assistant Commissioner of Patents

Washington, D.C. 20231

SIR:

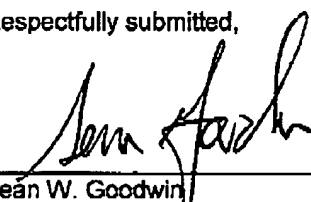
Submitted herewith are several references which have come to the applicant's attention and which may be deemed relevant to the above-identified application, together with form PTO/SB/08A listing the references.

It is requested that these references be made of record in the present application.

Respectfully submitted,

Date:

Sept 29 / 05



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Registration No. 39, 568

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Customized PTO/SB/08A
Substitute for Form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 1 of 1

IDS-2 September 29, 2005

Application No.: 10/773,250
Filing Date: February 9, 2004
First Named Inventor: Michael J. Alberts
Group Art Unit: 2116
Examiner Name: John R. Cottingham
Attorney Docket No.: 2270-001

U.S. PATENT DOCUMENTS

Initial	Document No.	Name	Date	Relevance
	42,166	Clapp & Blanchard	Apr 5, 1864	
	197,806	Walter	Dec 4, 1877	
	2,581,318	Bartlett	Oct 25, 1949	
	5,184,800	Tabler	Feb 9, 1993	

FOREIGN PATENT DOCUMENTS

Initial	Office	Number	Name	Date	Relevance	Trans

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Initial	Name (in CAPS), Title of Article, Title of Item, Date, Page(s), Volume-Issue No., etc.	Trans

Examiner Signature		Date Considered	
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* Examiner: Initial if considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.